

In the Drawings

Figures 1 and 2 of the drawings are replaced by amended Figures 1 and 2 submitted herewith.

Remarks

1. The abstract is replaced by an amended abstract submitted herewith. The abstract has been amended in manner believed to address the issues identified in section 1 of the Office Action.
2. The major portion of the specification spanning from page 1, line 1 to page 12, line 11 has been amended to correct misspellings, to fully explain acronyms and to clarify the meaning of the acronym CLAN thereby addressing the issues identified in section 2 of the Office Action.
3. The claims have been amended to also correct misspellings thereby addressing the informalities identified in section 3 of the Office Action.
4. Figures 1 and 2 of the drawings have been amended as appropriate to include reference numerals mentioned in the specification but missing from the figures and to delete references included in the figures but not mentioned in the specification. With regard to the reference "M1" as found in the drawings and which is associated with switch 15 as described in the specification, an indication that this reference is used in the figures to denote the switch has been included in the specification at the first occurrence of the numeral 15. It is submitted therefore that all issues identified in sections 4 and 5 of the Office Action have been addressed in a proper manner.
5. Claims 1, 3, 10 and 11 have each been amended to replace the term "one or more of said reservation requests" by "said reservation request" to address the issue identified in section 6 of the Office Action. Consequential amendments have been made to these claims to account for the above mentioned change. Claim 7 has been similarly amended.

6. The Examiner has rejected claims 1 and 3 to 9 under 35 U.S.C. §102(b) as being anticipated by US5844982 (Knitl). Applicants have amended independent claim 1 as presently on file to incorporate the subject matter of claim 9. Claim 1 has therefore been amended to identify that the source contact center sends the reservation request to each of the contact centers including itself. Thus, the plurality of contact centers including the source contact center forms a virtual contact center where all contact centers can be involved in routing a contact to an appropriate agent who may be associated with any of the plurality of contact centers. All of the other independent claims currently pending in this application have been amended to be consistent with claim 1.

7. Knitl discloses that, only if the (source) contact center on which the call arrives does not have a free agent are the other contact centers queried (see flow chart of figure 2). So, on Knitl the reservation request is sent to the other contact centers but not to the (source) contact center that received the call and is only sent to the other contact centers once a determination has been made at the source contact center that there is no agent free at said source contact center. The system of Knitl therefore excludes the source contact center from the collective routing decision for a contact initiated by sending out the reservation request from the source contact center to all other contact centers excluding itself. Knitl is thus an example of an overflow model of network call routing rather than a virtual call center as defined by claim 1 as amended. Consequently, claim 1, and by extension the remaining independent claims, of the present application is not anticipated by Knitl.

8. The Examiner may be tempted to argue that the present invention as defined by claim 1 would have been obvious having regard to Knitl, either on its own or in combination with either or both of Chee (US6526397) or Hurd (US6522743). The Examiner will be aware that in *ex parte* examination of patent applications, the Patent and Trademark Office bears the burden of establishing a *prima facie* case of

obviousness. MPEP § 2142; *In re Fritch*, 972 F.2d 1260, 1262, 23 U.S.P.Q.2d 1780, 1783 (Fed. Cir. 1992). The initial burden of establishing a *prima facie* basis to deny patentability to a claimed invention is always upon the Patent and Trademark Office. MPEP § 2142; *In re Oetiker*, 977 F.2d 1443, 1445, 24 U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992); *In re Piasecki*, 745 F.2d 1468, 1472, 223 U.S.P.Q. 785, 788 (Fed. Cir. 1984). Only when a *prima facie* case of obviousness is established does the burden shift to the applicant to produce evidence of nonobviousness. MPEP § 2142; *In re Oetiker*, 977 F.2d 1443, 1445, 24 U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992); *In re Rijckaert*, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). If the Patent and Trademark Office does not produce a *prima facie* case of unpatentability, then without more the applicant is entitled to grant of a patent. *In re Oetiker*, 977 F.2d 1443, 1445, 24 U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992); *In re Grabiak*, 769 F.2d 729, 733, 226 U.S.P.Q. 870, 873 (Fed. Cir. 1985). A *prima facie* case of obviousness is established when the teachings of the prior art itself suggest the claimed subject matter to a person of ordinary skill in the art. *In re Bell*, 991 F.2d 781, 783, 26 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1993). To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed invention and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. MPEP § 2142.

9. Claim 1 as amended defines a method of routing a contact in a network of contact centers which includes the source node (contact center) in the decision of which is the best agent in the **entire** contact center network, within a certain skillset and intrinsic criteria (e.g. longest idle agent). In other words, when the source contact center sends out the reservation request to all the contact centers including

itself for free agents, it also queries the agents in its own contact center, so that all agents in the entire network can be judged against each other to make the routing decision for a particular contact. This is a useful and non-obvious contribution to the art in that it means that any call that arrives in the entire network of contact centers can be routed to any agent in any contact center in the network, including the contact center that the contact happened to arrive at. Consequently, no possible agent is excluded and all agents are judged for availability etc on the same basis at the same time. The method of claim 1 also allows customers to consider their entire network of contact centers as a "virtual call centre" within which an agent can be physically present at any node but can take incoming calls from any other node. In contrast, in Knitl, only if the contact center on which the call arrives does not have a free agent are the other contact centers queried. Thus, the agents of the source contact center of Knitl are effectively judged by a different standard to those of the other supporting contact centers since Knitl describes an overflow contact handling model that inherently precludes the virtual contact center arrangement of the present invention. Therefore, the method of claim 1 makes a useful and non-obvious contribution to the art. There is nothing in the disclosures of Knitl, Chee or Hurd that teaches or suggests the method of claim 1. Claim 1 is therefore not obvious in view of these prior art references, whether taken singly or in any combination. The same analysis is applicable to other independent claims of the present application.

10. Referring again to the 35 U.S.C. §102(b) ground of rejection of certain claims of the present application, the following observations are made for the sake of completeness.

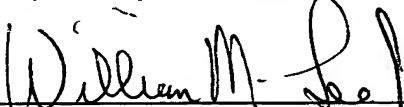
11. Claim 7 - This claim describes the concept of making the inter-contact centre routing decision within the bounds of specific skillsets e.g. routing to the longest idle agent in a given skillset. The Examiner contends that this feature is disclosed in Knitl but does not specify where Knitl makes such disclosure. It is not apparent to the applicant that it does.

12. Claim 6 - The Examiner rejects this claim on the basis of column 3, lines 40/41 of Knitl. However, the Examiner has confused agent reservation timing as taught by Knitl with the timer at the source contact centre of the present invention which waits for target contact centres to respond with idle/reserved agent notifications (not disclosed by Knitl). Thus, claim 6 is not anticipated by Knitl.

13. In view of the foregoing, favorable consideration of the claims as amended is respectfully requested.

December 1, 2005

Respectfully submitted,



William M. Lee, Jr.
Registration No. 26,935
Barnes & Thornburg LLP
P.O. Box 2786
Chicago, Illinois 60690-2786
(312) 214-4800
(312) 759-5646 (fax)